

REMARKS

This application has been reviewed in light of the Office Action dated April 24, 2006. Claims 12-21 are presented for examination, of which Claims 12, 16, 19 and 20 are in independent form. Claims 12, 13, 16, 17, 19, 20 and 21 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

In the outstanding Office Action, the specification was objected to under the first paragraph of 35 U.S.C. § 112, as failing to provide support for the claimed invention, and Claims 12-21 were rejected under Section 112 as not supported by the specification, as filed. Applicant disagrees with the Examiner, and believes that the features identified by the Examiner are shown clearly in Fig. 3, and described in the corresponding portions of the specification.

Claims 12-21 were rejected under U.S.C. § 103(a) as being obvious from U.S. Patents 6,330,561 (Cohen et al.) and 6,353,855 (Hendren III), taken in combination.

Independent Claim 12 is directed to a network-connectable apparatus that comprises a restricting device adapted to restrict access to the network-connectable apparatus by another apparatus in response to a request by the other apparatus. A detecting device detects whether the request from the other apparatus is a request for inquiry about update of a file, and a discrimination device, based on detection by the detecting device, determines whether a file corresponding to a file cached by the other apparatus has been updated. A sending device, in the case where the access to the network-connectable apparatus by the other apparatus is not restricted, selectively sends information representing that the file corresponding to the file cached by the other apparatus has not been updated, to the other apparatus, or sends the updated file to the other apparatus, in

accordance with the discrimination by the discrimination device, and, in the case where the access to the network-connectable apparatus by the other apparatus is restricted, sends information representing that the access is rejected to the other apparatus, regardless of whether or not the file corresponding to the file cached by the other apparatus is updated.

According to the apparatus of Claim 12, when an access is restricted, it is possible to prevent from displaying based on a file cached in the other apparatus and to inform information about reasons for the access rejection. Moreover, when access is not restricted, it is possible selectively to reduce data amount to be transmitted or transmit updated file, in accordance with a update status of the file.

Cohen relates to a technique intended to improve cache coherency and effectiveness, while not overloading networks. A request for a resource is received by a proxy, which forwards a copy of the resource if a valid copy is present, and otherwise sends a request to a resource server, along with a proxy filter. The resource server produces a response to the request, based on the request, the filter and a predetermined criterion. This response includes a list of additional resources selected from a volume with which the requested resource is associated (see Fig. 4).

In contrast to what is recited in Claim 12, nothing has been found in *Cohen* that would teach or suggest selectively executing a sending process based on whether a file corresponding to a file cached in the other apparatus is updated, or a sending process regardless as to whether or not the file corresponding to the file cached by the other apparatus is updated, in accordance with whether or not an access is to be rejected.

Accordingly, *Cohen* does not disclose the recited sending device that, in the case where the access to the network-connectable apparatus by the other apparatus is not restricted, selectively sends information representing that the file corresponding to the file

cached by the other apparatus has not been updated, to the other apparatus, or sends the updated file to the other apparatus, in accordance with the discrimination, and, in the case where the access to the network-connectable apparatus by the other apparatus is restricted, sends information representing that the access is rejected to the other apparatus, regardless of whether or not the file corresponding to the file cached by the other apparatus is updated.

Accordingly, Claim 12 is believed to be allowable over *Cohen*, taken alone.

Moreover, even assuming *Hendren* shows all that it is cited for, the proposed combination of that patent with *Cohen* (assuming the that combination would be a permissible one) would not meet the terms of Claim 12.

Additionally, the above advantages of the present invention would not be provided by the proposed combination of documents: that combination would not provide the ability prevent a display based on a file cached in the other apparatus and to supply information about the reasons for this access rejection. Moreover, when access is not restricted, the proposed combination would not selectively reduce the amount of data to be transmitted or to transmit an updated file, in accordance with an update status of the file.

Accordingly, the apparatus of Claim 12 is believed plainly to be allowable over *Cohen* and *Hendren*, taken separately or in any permissible combination (if any).

Independent Claim 16 differs from Claim 12 in reciting "time information related to a file possessed by the other apparatus" in place of "request for inquiry about update of a file." Accordingly, Claim 16 also is believed to be allowable over *Cohen* and *Hendren*, taken separately or in any permissible combination (if any), for at least the reasons discussed above with regard to Claim 12.

Independent Claims 20 and 21 are method claims corresponding to apparatus Claims 12 and 16, respectively, and are believed to be patentable for at least the same reasons as discussed above in connection with Claims 12 and 16.

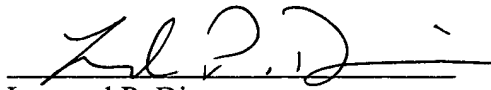
A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 582383v1